

Kevin R. McCarthy, VSB No. 14273
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Trustee

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

***** *
In re: *
*
Ali Abbarin, * Case No.: 22-11235-BFK
* (Chapter 7)
Debtor(s) *
***** *

TRUSTEE'S RESPONSE TO MOTION FOR RELIEF
FROM AUTOMATIC STAY

Kevin R. McCarthy, Trustee responds to the Motion For Relief From Automatic Stay (“Motion”) filed by U.S. Bank National Association (D.E. 18) as follows:

1. The Motion states that on September 27, 2022, the total amount due under the Movant’s deed of trust on the property located at 8147 Community Drive, Manassas, VA 20109 (the “Property”) was \$121,814.81. The Property is owned of record by the Debtor and his wife.
2. The Debtor scheduled the Property with a value of \$280,081.47. Zillow values the Property at \$296,600.
3. Upon information and belief, the Movant’s deed of trust is a first deed of trust on the Property. As a result, there is ample equity in the Property for the Movant and its interest in the Property is adequately protected. Under 11 U.S.C. § 362(g)(1), the Movant has the burden of proof on the issue of the Debtor’s equity in the Property.

4. The first meeting of creditors in the case scheduled for October 19, 2022, had to be adjourned to November 16, 2022, because the Debtor was unable to participate due to phone

troubles. The Trustee intends to obtain information from the Debtor at the adjourned meeting of creditors which may enable him to determine whether it would be in the interests of the estate to sell the Property.

Wherefore, the Trustee requests the Court to deny the Motion.

Respectfully submitted,

/s/ Kevin R. McCarthy
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of October, 2022, I served a copy of the foregoing through the court's ecf system on all registered ecf participants who have appeared in this case.

/s/ Kevin R. McCarthy
Kevin R. McCarthy